

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

MICHAEL D. SCHIMEK,

Debtor.

Chapter 7

Case No. 24-10213 (MG)

**ORDER GRANTING CREDITOR'S *EX PARTE*
APPLICATIONS FOR RULE 2004 EXAMINATIONS OF
LISA J. WEKSLER, RIVERSIDE BOULEVARD LLC, AND THE DEBTOR**

On March 13, 2024 and March 15, 2024, creditor Gloria Allred filed three *ex parte* motions (collectively, the “Rule 2004 Motions”) pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure that seek entry of orders authorizing the service of subpoenas on (i) Lisa J. Weksler, directing the production of documents and her appearance at an oral deposition (the “Weksler Rule 2004 Motion,” ECF Doc. # 14); (ii) Riverside Boulevard LLC, directing the production of documents (the “Riverside Rule 2004 Motion,” ECF Doc. # 15); and (iii) Michael D. Schimek (the “Debtor”), directing his appearance at oral deposition (the “Debtor Rule 2004 Motion,” ECF Doc. # 17). On March 18, 2024, the Debtor filed the *Affirmation in Opposition to the Frivolous Motions Seeking Entry of Orders Authorizing 2004 Examinations and Documents From Debtor, Lisa J. Weksler and 220 Riverside Boulevard LLC* (the “Debtor’s Opposition,” ECF Doc. # 18) opposing the Rule 2004 Motions. On March 19, 2024, Ms. Allred filed the *Creditor’s Response to Affirmation in Opposition to Applications Seeking Entry of Orders Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure* (ECF Doc. # 19) in response to the Debtor’s Opposition.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Rule 2004 Motions are granted to the extent set forth herein.

2. The Weksler Rule 2004 Motion is granted, but the Rule 2004 examination of Ms. Weksler and the production of documents shall be limited solely to information concerning the “acts, conduct, or property or to the liabilities and financial condition of the debtor.” FED. R. BANKR. P. 2004(b). There shall not be an examination of Ms. Weksler’s personal financial condition. Accordingly, Ms. Allred is authorized to seek the production of documents listed on Exhibit A to the Weskler Rule 2004 Motion. However, item number 1 on Exhibit A shall be modified to include only bank statements of accounts jointly held between Ms. Weksler and the Debtor beginning on January 1, 2020.

3. The Riverside Rule 2004 Motion is granted. Ms. Allred is authorized to seek the production of documents listed on Exhibit A to the Riverside Rule 2004 Motion.

4. The Debtor Rule 2004 Motion is granted. However, the Rule 2004 examination of the Debtor shall be limited solely to the Debtor’s financial condition in accordance with Rule 2004 of the Federal Rules of Bankruptcy Procedure.

IT IS SO ORDERED.

Dated: March 20, 2024
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge